

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**SUPPLEMENTAL AGREEMENT NO. 5
TO AGREEMENT FOR PROFESSIONAL SERVICES**

THIS Agreement is made this 15th day of October, 2013 by and between the **HIDALGO COUNTY**, acting herein by and through the **HIDALGO COUNTY COMMISSIONERS COURT**, hereinafter called the “**Owner**”, and **R. GUTIERREZ ENGINEERING CORPORATION**, professional engineers of Pharr, Texas, hereinafter called the “**Engineer**”.

WITNESSETH

WHEREAS, the **Owner** and the **Engineer** executed that one certain **Agreement** on the 27th day of February, 2001 concerning the providing of professional engineering and surveying services for the development of a design schematic, environmental assessment, right-of-way map, and full plans, specifications and estimate (PS&E) for the upgrading of Nolana Loop from county road standards to Farm-to-Market standards from FM 1426 (Raul Longoria Rd) east to FM 88 (the “**Agreement**”). The engineering and surveying services shall be performed to meet Texas Department of Transportation (TxDOT) standards for Farm-to-Market road construction (hereinafter referred to as the “**Project**”); and,

WHEREAS, Article 8 of the **Agreement**, (Supplemental Agreements), establishes that the terms of the Agreement may be amended by supplemental agreement if the **Owner** determines that (1) there is a need to extend the **Termination Date** identified in Article 3.1 hereof, (2) there has been a significant change in the scope, complexity or character of the services to be performed by the **Engineer**, and/or (3) for any other reason agreeable to the **Owner** and the **Engineer**; and,

WHEREAS, it has become necessary to amend the **Agreement** to

- (1) revise Exhibit D1 – Cost Proposal of this **Agreement** to allow for adjustment of compensation due the **Engineer** on each task for the work done as approved by TxDOT. Total compensation due the **Engineer** for the entire project is not changed.

AGREEMENT

NOW THEREFORE, premises considered, the **Owner** and the **Engineer** agree that the **Agreement** is amended as follows:

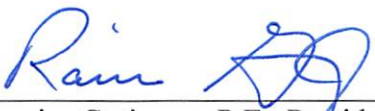
- I. Exhibit D1 of the **Agreement** (Cost Proposal) is replaced with “Exhibit D1 attached hereto bearing a footnoted date of October 15, 2013.

Hidalgo County / R. Gutierrez Engineering Corporation
Nolana Loop – FM 1426 to FM 88

Except as amended by this Supplemental Agreement No. 5, the remaining provisions of the Agreement, along with previous revisions, are unchanged and shall remain in full force and effect.

IN WITNESS WHEREOF, the **Engineer** and the **Owner** have caused this Supplemental Agreement to the Agreement for Professional Services to be executed as of the _____ day of _____, 20__.

**THE ENGINEER:
R. GUTIERREZ ENGINEERING CORPORATION**

BY: 

Ramiro Gutierrez, P.E., President

**THE OWNER:
HIDALGO COUNTY**

BY: _____
County Judge

LIST OF ATTACHMENTS:

“Exhibit D1” – Revised 10-15-13

ATTEST:

BY: _____

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EXHIBIT D1

Cost Proposal

TASK	CONTRACT AMOUNT	FEE BREAKDOWN			
		PART 1 WORK (2.25 Mi)	PART 2 WORK (2.35 Mi)	PART 3 WORK (2.60 Mi)	PART 4 WORK (2.70 Mi)
PHASE I - PRELIMINARY ENGINEERING					
SURVEYING - SETTING PANELS FOR FLIGHT	\$38,000	\$38,000	\$0	\$0	\$0
SCHEMATIC DESIGN	\$149,131	\$149,131	\$0	\$0	\$0
SCHEMATIC DESIGN (Add'l Work)	\$55,124	\$55,124			
ENVIRONMENTAL ASSESSMENT	\$65,014	\$65,014	\$0	\$0	\$0
ENVIRONMENTAL ASSESSMENT (Add'l S.A. #4)	\$10,780	\$10,780			
PUBLIC HEARING	\$10,000	\$10,000	\$0	\$0	\$0
SUB-TOTAL	\$328,049	\$328,049	\$0	\$0	\$0
PHASE II - RIGHT-OF-WAY ACQUISITION					
R.O.W. MAP	\$441,000	\$73,500	\$108,500	\$187,250	\$71,750
SUB-TOTAL	\$441,000	\$73,500	\$108,500	\$187,250	\$71,750
PHASE III - PLANS DEVELOPMENT					
SURVEYING - FIELD VERIFICATION	\$49,031	\$11,143	\$11,639	\$12,877	\$13,372
GEOTECHNICAL INVESTIGATION	\$30,600	\$6,955	\$7,264	\$8,036	\$8,345
ENGINEERING	\$569,900	\$129,523	\$135,279	\$149,671	\$155,427
SUB-TOTAL	\$649,531	\$147,620	\$154,182	\$170,584	\$177,145
TOTAL LUMP SUM FEE	\$1,418,580	\$549,169	\$262,682	\$357,834	\$248,895

R. Gutierrez Engr Corp
Nolana Loop - FM 1426 to FM 88